

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA

VS.

DANIEL SULLIVAN

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:
:

CRIMINAL NO. 10-00195

ORDER

AND NOW, this day of November, 2011, upon consideration of the Defendant's Unopposed Motion for a Continuance and Exclusion of Time, the Court finds the following:

1. The period of time from the filing of the Unopposed Motion of Defendant Daniel Sullivan for Continuance of Trial and Exclusion of Time until its written disposition are excludable from calculation pursuant to 18 U.S.C. §3161(h)(1)(F).

2. Counsel for Defendant Daniel Sullivan requires additional time to appropriately and adequately prepare this matter.

3. The failure to grant the requested continuance would be likely to result in a miscarriage of justice. *See* 18 U.S.C. §3161(h)(8)(B)(i).

4. The ends of justice served by granting the requested continuance outweigh the best interest of the public and the Defendant in a speedy trial. *See* 18 U.S.C. §3161(h)(8)(A).

5. Defendant's Motion is unopposed by the government.

THEREFORE, it is hereby ORDERED that the Unopposed Motion of Defendant Daniel Sullivan for Continuance of Trial and Exclusion of Time is **GRANTED** and that the hearing in the above-captioned matter is continued from July 29, 2013, to a later date to be set by the Court.

BY THE COURT:

Judge C. Darnell Jones II
United States District Court

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA	:	
	:	
v.	:	CRIMINAL NO. 10-00195
	:	
DANIEL SULLIVAN	:	

**UNOPPOSED MOTION OF DEFENDANT DANIEL SULLIVAN
FOR CONTINUANCE OF HEARING AND EXCLUSION OF TIME**

Defendant Daniel Sullivan, by and through his attorney, Carina Laguzzi, Esquire, hereby makes this request for a continuance of the hearing in this matter and that the time period during which this matter is continued be excluded from the speedy trial calculation, and in support thereof states as follows:

1. On April 1, 2010, a federal grand jury sitting in the Eastern District of Pennsylvania returned a Superseeding Indictment¹ charging Mr. Sullivan with three counts of distribution of oxycodone, a Schedule II controlled substance, in violation of 21 U.S.C. § 841(a)(1).
2. A hearing for a non-trial disposition of this matter is currently scheduled for July 29, 2013.
4. Counsel for defendant Daniel Sullivan requires additional time to appropriately and adequately prepare this matter.
5. “[A]ny period of delay resulting from a continuance granted by any judge...at the request of the defendant or his counsel...if the judge granted such continuance on the basis of his findings that the ends of justice served by taking such action outweigh the best interest of the public

and the defendant in a speedy trial,” is excludable time under the Speedy Trial Act. 18 U.S.C. §3161(h)(8)(A).

6. The ends of justice will be best served by the granting of the requested continuance.

7. Accordingly, “the failure to grant...a continuance...would be likely to...result in a miscarriage of justice.” 18 U.S.C. §3161(h)(8)(B)(i).

10. Defense counsel has communicated with Assistant United States Attorney Faith Taylor, who has represented that the government does not oppose the relief requested in this motion.

11. Counsel has communicated with her client who does not oppose this continuance request and agrees to the exclusion of time for Speedy Trial calculation purposes.

WHEREFORE, for the foregoing reasons, defendant Daniel Sullivan respectfully requests that the trial of this matter be continued until a date to be set by the Court.

Respectfully submitted,

LAGUZZI LAW, P.C.

By: /s/ CL 1170
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¹ The original Indictment charging Mr. Sullivan with two counts of distribution of oxycodone was filed on April 1, 2010.

CERTIFICATE OF SERVICE

I, CARINA LAGUZZI, ESQUIRE, certify that on this 22nd day of July, 2013, I have served a copy of the attached Unopposed Motion for Continuance upon the following parties via electronic transmittal:

AUSA Ashley Lukenheimer
615 Chestnut Street
12th Floor
Philadelphia, PA 19106

The Honorable C. Darnell Jones II
U.S. District Courthouse
601 Market Street
Philadelphia, PA 19106

SIGNATURE CODE: 1170
CARINA LAGUZZI, ESQUIRE
Attorney for Defendant

